

Appl. No. 09/997,210
Amdt. Dated December 30, 2004
Reply to Office Action of October 1, 2004

Attorney Docket No. 81872.0030
Customer No. 26021

REMARKS/ARGUMENTS:

Claim 11 is amended. Claims 1-14 are pending in the application. Reexamination and reconsideration of the application, as amended, are respectfully requested.

The present invention relates to a dielectric waveguide type filter and a dielectric waveguide type branching filter mainly used at high frequencies such as microwaves and millimeter waves and capable of being packaged in an inside of a multi-layered wiring substrate, a semiconductor package, transmitting and receiving module and the like. (Applicant's specification, at p. 1, lines 7-10).

Applicant believes the foregoing amendments comply with requirements of form and thus may be admitted under 37 C.F.R. § 1.116(b). Alternatively, if these amendments are deemed to touch the merits, admission is requested under 37 C.F.R. § 1.116(c). In this connection, these amendments were not earlier presented because they are in response to the matters pointed out for the first time in the Final Office Action.

Lastly, admission is requested under 37 C.F.R. § 1.116(b) as presenting rejected claims in better form for consideration on appeal.

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CLAIM REJECTIONS UNDER 35 U.S.C. § 102:

Claims 11-13 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Uchimura JP411355010. The Applicant respectfully traverses this rejection. Claim 11, as amended, is as follows:

A dielectric waveguide type branching filter including a common dielectric waveguide and dielectric waveguide type filters, wherein the dielectric waveguide type filters are perpendicular to the common dielectric waveguide, wherein the dielectric waveguide type filters are located on the same side of the common dielectric waveguide,

the dielectric waveguide type filter comprising a pair of main conductive layers holding an upper and a lower surfaces of a dielectric therebetween, and groups of conductive vias arranged in the direction of signal transmission with a space of a distance less than $1/2$ of a signal wavelength between the conductive vias and penetrating parts near side walls of a dielectric substrate thus to connect the pair of the main conductive layers with each other.

Claim 11 was amended to clarify that dielectric waveguide type filters are perpendicular to and located on the same side of the common dielectric waveguide. The Office in its "Response to Arguments" section of the Office Action, dated October 1, 2004, states, "Nothing recited in the claim, as written, states that the filter has a π type structure." The positioning of the dielectric waveguide type filters perpendicular to and on the same side of the common dielectric waveguide provides a π type structure. Nothing in Uchimura teaches or suggests this π type structure.

In light of the foregoing, Applicant respectfully submits that Uchimura could not have anticipated or rendered obvious claim 11, because Uchimura fails to teach or suggest each and every claim limitation. Claims 12 and 13 depend from claim 11

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and cannot be anticipated or rendered obvious for at least the same reasons as claim 11. Withdrawal of this rejection is thus respectfully requested.

ALLOWABLE SUBJECT MATTER:

Claims 1-10 and 14 are allowed.

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Reexamination and reconsideration of the application, as amended, are requested.

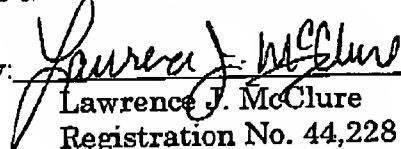
If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California telephone number (213) 337-6810 to discuss the steps necessary for placing the application in condition for allowance.

If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-1314.

Respectfully submitted,
HOGAN & HARTSON L.L.P.

Date: December 30, 2004

By:


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